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By ECF

September 25, 2018

Honorable John G. Koeltl
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York NY 10007-1312

Re: *Zirvi et. al. v. Flatley et. al.*, Case No. 18-cv-07003-JGK

Dear Judge Koeltl:

We write on behalf of all defendants¹ that have appeared in the above-captioned case to respectfully request an adjournment of the initial pretrial conference, currently scheduled for October 24, 2018. Defendants are required to answer, move, or otherwise respond to the Complaint in this action by October 31, 2018. They respectfully request an adjournment of the initial pretrial conference to mid-November 2018 or a later date, at the Court's convenience.

Defendants contemplate filing letters, on or before the answer date, to request a pre-motion conference regarding anticipated motions to dismiss the Complaint. Rescheduling the initial pretrial conference to a time after the answer date will permit addressing pre-motion conference issues together with other pretrial matters.

We have conferred with counsel for the plaintiffs and they consent to this requested adjournment.

Respectfully submitted,

s/ Robert P. Haney, Jr.
Robert P. Haney, Jr.
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620 Eighth Avenue
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¹ These are defendants Jay Flatley, Kevin Gunderson, David Walt, Jian-Bing Fan and Illumina, Inc., represented by the undersigned counsel; Affymetrix and Applied Biosystems (together, the "Thermo Fisher defendants"), and Stephen P.A. Fodor.

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cc: *All Counsel of Record (via ECF)*